

OCT 23 2012

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RECEIVED IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CLERK

PLANT OIL POWERED )  
 DIESEL FUEL SYSTEMS, INC., )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES )  
 DEPARTMENT OF TRANSPORTATION, )  
 )  
 RAYMOND H. LAHOOD, SECRETARY, )  
 )  
 UNITED STATES )  
 ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 and )  
 )  
 LISA P. JACKSON, ADMINISTRATOR, )  
 )  
 Respondents. )

No. 12-1427

**PETITION FOR REVIEW**

Petitioner Plant Oil Powered Diesel Fuel Systems, Inc. (“POP Diesel<sup>TM</sup>”), by its General Counsel, petitions this Court for review of the denials by respondent U.S. Department of Transportation (“DOT”) and its respondent Secretary, Raymond H. LaHood (“Mr. LaHood”), acting by their agents the National Highway Transportation Safety Administration and its Associate Administrator Christopher J. Bonanti (together “their agents”), and respondent U.S. Environmental Protection Agency (“EPA”) and EPA’s respondent Administrator,

Lisa P. Jackson (“Ms. Jackson”), of POP Diesel™’s petition for and amended and supplemental petition for reconsideration of all respondents’ issuance of Greenhouse Gas Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles (“the Truck Standards”).

DOT and Mr. LaHood, by their agents, published their denial on August 24, 2012 at 77 Federal Register 51499. EPA and Ms. Jackson published their denial on August 27, 2012 at 77 Federal Register 51499.

The respondents published the Truck Standards, to which POP Diesel™’s petition for reconsideration applied, on September 15, 2011 at 77 Federal Register 57106.

POP Diesel™ requests that this Court consolidate the instant petition for review with POP Diesel™’s petition for review of the Truck Standards, which is already pending as Plant Oil Powered Diesel Fuel Systems, Inc. v. EPA, et al., No. 11-1441 (filed Nov. 14, 2011) (consolidated with lead case Delta Construction Co., Inc. v. EPA, No. 11-1428).

Respectfully submitted,

Petitioner Plant Oil Powered  
Diesel Fuel Systems, Inc.,  
by its General Counsel



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Claude D. Convisser  
General Counsel  
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Certificate of Service

I certify that on this 23<sup>rd</sup> day of October, 2012, I caused a true and accurate copy of this petition to be served on all the respondents by providing the Clerk of the Court such copies for the Clerk to serve.



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Claude D. Convisser

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**PETITIONER'S CORPORATE DISCLOSURE STATEMENT  
UNDER RULE 26.1**

Petitioner Plant Oil Powered Diesel Fuel Systems, Inc. ("POP Diesel<sup>TM</sup>"), by its General Counsel, states as its corporate disclosure statement pursuant to Rule 26.1 that it does not have any parent corporation or any publicly held corporation that owns ten percent or more of its stock.

Respectfully submitted,

Petitioner Plant Oil Powered  
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by its General Counsel



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